

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW HAMPSHIRE**

THE UNITED STATES OF AMERICA

v.

No. 1:21-cr-41-JL

ARIA DIMEZZO

ASSENTED-TO MOTION TO EXTEND DEADLINE

This case is scheduled for a sentencing hearing on April 25, 2023. Under L. Cr. R. 32.1(i), the deadline for the defense sentencing memorandum and motion for a variance is ten days before the sentencing hearing date. In this case, the tenth day before the hearing is April 15, 2023, which is tomorrow, a Saturday. Under Fed. R. Crim. P. 45(a)(1) and (5), and L. Cr. R.45.1(i), when a deadline is determined by counting days before an event, and the last day falls on a weekend or legal holiday, then the due date for the filing is determined by counting backwards to the next day that is not a legal holiday or weekend. Thus, the deadline is today even though it is the eleventh day before the hearing.

Counsel requested and the Government, through Assistant United States Attorney Georgiana MacDonald, assented to an extension so that the defense memorandum and motion is due Monday, April 17, 2023.

WHEREFORE the defense respectfully asks the Court to extend the deadline for filing the defense sentencing memorandum and motion for a variance to Monday, April 17, 2023.

Date: April 14, 2023.

Respectfully submitted by counsel
for Aria DiMezzo

/s/ Richard Guerriero

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to registered participants identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to the nonregistered participants on the date the document was signed by me.

—

/s/ Richard Guerriero

Richard Guerriero, Esq.